

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use herein described property for An Arcade.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Atorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Atorney's Telephone No.: _____

Legal Owner(s):
PHOTON East Limited Partnership
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Michael T. Whittaker
Name
2401 North Point Blvd. 284-6200
Address
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of June, 1986, at 2:00 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 10, 1986

Mr. Michael T. Whittaker, President
Photon East Limited Partnership
2401 North Point Boulevard
Baltimore, Maryland 21222

RE: Petition Special Hearing and
Special Exception - Beginning
at 475' NE of the Inter-
section of Old North Point Road
and Willow Road
15th Election District
Case No. 86-516-XSPH

Dear Mr. Whittaker:

I have this date passed my Order in the above referenced Petition for Special Hearing and Special Exception in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: People's Counsel

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve "Photon" to be an entertainment, leisure or recreation oriented use in accordance with Section 422 (a) (18), BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Atorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Atorney's Telephone No.: _____

Legal Owner(s):
PHOTON East Limited Partnership
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Michael T. Whittaker
Name
2401 North Point Blvd. 284-6200
Address
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of June, 1986, at 2:00 o'clock.

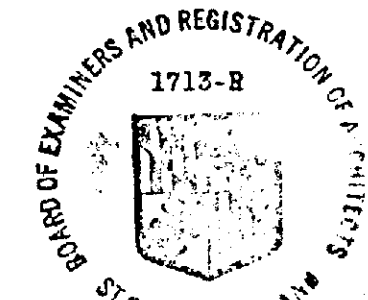
Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

METES AND BOUNDS FOR PHOTON PARKING & BUILDING AREAS

Beginning at the intersection of centerline of Willow Road and centerline of 12" water main running at Southerly side of Old North Point Road a distance of 475.0 feet running North 39 degrees 50 minutes East to the Southwest corner of designated parking area called point of beginning. Then running North 71 degrees 55 minutes East 175 feet then South 58 degrees 05 minutes East 115 feet then South 31 degrees 55 minutes West 40 feet to the Southeast corner of designated building area.

Then South 58 degrees 05 minutes East 128 feet,
Then South 31 degrees 55 minutes West 100 feet,
Then North 31 degrees 55 minutes West 128 feet,
Then North 31 degrees 55 minutes East 100 feet
close out building area then
South 31 degrees 55 minutes West 135 feet,
Then North 31 degrees 05 minutes West 115 feet to the Point of Beginning of Parking Area.



IN RE: PETITION SPECIAL HEARING AND SPECIAL EXCEPTION
Beginning at 475' NE of the Intersection of Old North Point Road and Willow Road (2401 North Point Blvd.) 15th Election District
Photon East Ltd. Partnership
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-516-XSPH

The Petitioner herein requests a Special Hearing to determine that "Photon" is an entertainment, leisure or recreation oriented use and, in addition, a Special Exception for an arcade within the Photon portion of the building.

Testimony by the principals of the partnership, several Baltimore County firemen, indicates that they have obtained a franchise for Photon, a new type of commercial recreation enterprise described as "like playing inside a video game." A team is comprised of from one to ten members who suit up, plan strategy, play a "star wars" combat game with infinite situations, drop off their equipment, and review and analyze the game. Players have ranged from 8 to 86 years of age. Members have photo identifications which can be used in any Photon establishment.

The franchise owners have utilized a portion of an older shopping center, as shown in the attached plan prepared by Greenfield, Sommer & Associates, revised April 11, 1986, and identified as Petitioner's Exhibit 2, have gone beyond the BOCA code as to sprinklers, heat and smoke detectors and number of exits, have improved the entire front of the building and have expanded the parking area. Rules of behavior are strict as the operators attempt to provide a Disney-type environment. A 12' x 22' room, as shown in the attached Petitioner's Exhibit 4, will be utilized for traditional amusement games. There were no Protestants.

DATE 7/10/86
BY *Carl J. Jablon*
ZONING COMMISSIONER

PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING

15th Election District
Case No. 86-516-XSPH

LOCATION: Beginning at 475 feet Northeast of Intersection of Old North Point Road and Willow Road (2401 North Point Boulevard)

DATE AND TIME: Tuesday, June 17, 1986, at 2:00 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for an arcade

Petition for Special Hearing to approve "Photon" to be an entertainment, leisure or recreation oriented use

Being the property of Photon East Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, the determination requested in the petition for Special Hearing would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations, the requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and therefore, the requested determination and special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 10th day of July, 1986 that the herein request for a Special Hearing to determine that "Photon" is an entertainment, leisure or recreation oriented use and, in addition, the Special Exception for an arcade, in accordance with the Petitioner's Exhibits 2 and 4, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1) The traditional amusement devices shall be housed and utilized only within the 12' x 22' room shown on Petitioner's Exhibit 4.
- 2) The entire 65' x 100' building area shall be utilized only by Photon and/or a similar team participatory game.
- 3) Prior to May 1988, two 3' x 3' planter islands, as specified in the letter dated June 24, 1986 from Michael Whittaker submitted and filed herein, shall be installed. The landscaping noted in the letter referenced above shall be the minimum landscaping planted and maintained on the site.

John M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

DATE 7/10/86
BY *Carl J. Jablon*
ZONING COMMISSIONER

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
Beginning at 475' NE of :
Intersection of Old North :
Point Rd. & Willow Rd. :
(2401 North Point Blvd.) :
15th District :
PHOTON EAST LIMITED : Case No. 86-516-XSPH
PARTNERSHIP, Petitioner : : : : :
ENTRY OF APPEARANCE

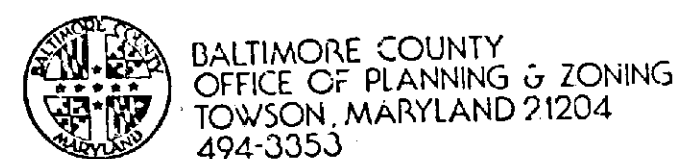
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of May, 1986, a copy of the foregoing Entry of Appearance was mailed to Michael T. Whittaker, President, Photon East Limited Partnership, 2401 North Point Blvd., Baltimore, MD 21222, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

June 10, 1986

Mr. Michael T. Whittaker
2401 North Point Boulevard
Baltimore, Maryland 21222

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR SPECIAL EXCEPTION AND PETITION
FOR SPECIAL HEARING
Beg. @ 475' NE of Intersection of Old North Point Rd. and
Willow Rd. (2401 North Point Blvd.)
15th Election District
Photon East Limited Partnership - Petitioner
Case No. 86-516-XSPH

Dear Mr. Whittaker:

This is to advise you that \$119.90 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

County, Maryland, and remit
to: Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021746

DATE: 6/17/86 ACCOUNT: 01-615-000

SIGNS & POSTS
RETURNED
Photon East Limited Partnership, 2401 North
Point Blvd., Balto., Md. 21202

RECEIVED FROM: Advertising & Posting re Case #86-516-XSPH

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 29, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
May 29, 1986.

THE JEFFERSONIAN,

18 Kenton
Publisher
Cost of Advertising
27.50

PETITION FOR SPECIAL EXCEPTION
AND SPECIAL HEARING
Case No. 86-516-XSPH

LOCATION: Beginning at 475 feet
North of Intersection of Old
North Point Road and Willow Road
(2401 North Point Blvd.)
DATE AND TIME: Tuesday, June
17, 1986, at 2:00 p.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Special Exception for an
arcade.

Petition for Special Hearing to approve
"Photon" to be an entertainment,
leisure or recreation oriented use.

Being the property of Photon East
Limited Partnership, as shown on plat
filed with the Zoning Office in the
event that this Petitioner(s) is
granted, a building permit may be
issued within the thirty (30) day period
specified. The Zoning Commissioner
will, however, entertain any request for a
stay of the issuance of said permit
covering this period for good cause
shown. Such request must be received
in writing by the date of the hearing and
shown or made at the hearing.

By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
May 29

PETITION FOR SPECIAL EXCEPTION
AND SPECIAL HEARING
Case No. 86-516-XSPH

LOCATION: Beginning at 475 feet
North of Intersection of Old North
Point Road and Willow Road (2401
North Point Boulevard)

DATE AND TIME: Tuesday, June 17,
1986, at 2:00 p.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Special Exception for an
arcade.

Petition for Special Hearing to approve
"Photon" to be an entertainment,
leisure or recreation oriented use.

Being the property of Photon East
Limited Partnership, as shown on plat
filed with the Zoning Office in the
event that this Petitioner(s) is
granted, a building permit may be
issued within the thirty (30) day period
specified. The Zoning Commissioner
will, however, entertain any request for a
stay of the issuance of said permit
covering this period for good cause
shown. Such request must be received
in writing by the date of the hearing and
shown or made at the hearing.

By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 May 29, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of Zoning Hrgs. - P.O.
#76981 - Reg. #L89475 - 81 lines @ \$32.40.

was inserted in The Dundalk Eagle a weekly newspaper
published in Baltimore County, Maryland, once a week
for one consecutive week, before the
30th day of May 1986; that is to say,
the same was inserted in the issues of May 29, 1986

Kimbel Publication, Inc.
per Publisher.

By K.C. Oller

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 86-516-XSPH

District: 15th Date of Posting: 4/22/86

Posted for: Special Exception, Special Hearing

Petitioner: Photon East Limited Partnership

Location of property: Beg. @ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

2401 North Point Blvd.

Location of Sign: @ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

@ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

Remarks:

Posted by: Whittaker Signature Date of return: 5/29/86

Number of Signs: 4

86-516-XSPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
15th day of May, 1986.

Petitioner: Photon East Ltd. Partnership
Petitioner's Attorney: Arnold Jablon

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Mr. Michael T. Whittaker
2401 North Point Boulevard
Baltimore, Maryland 21222

May 16, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING
Beg. @ 475' NE of Intersection of Old North Point
Rd. and Willow Rd. (2401 North Point Blvd.)
15th Election District
Photon East Limited Partnership - Petitioner
Case No. 86-516-XSPH

TIME: 2:00 p.m.

DATE: Tuesday, June 17, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 019301

DATE: 4/12/86 ACCOUNT: 01-615

AMOUNT: \$ 200.00

RECEIVED FROM: Michael T. Whittaker

FOR: Funds Fee - Special Exception - Special Hearing

Item 372 8121*****200000 01.00

Photon East Ltd Partnership

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 28, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-516-XSPH

In view of the subject of this petition, no comments are offered.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

June 24, 1986

To: Mrs. Jung
County Zoning Office

From: Photon East Limited Partnership
2401 North Point Blvd.
Baltimore, Maryland 21222

Mrs. Jung:

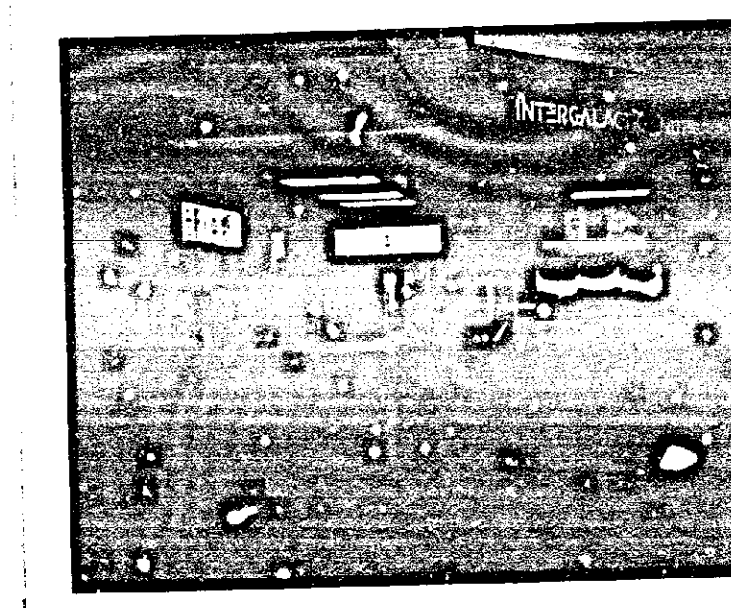
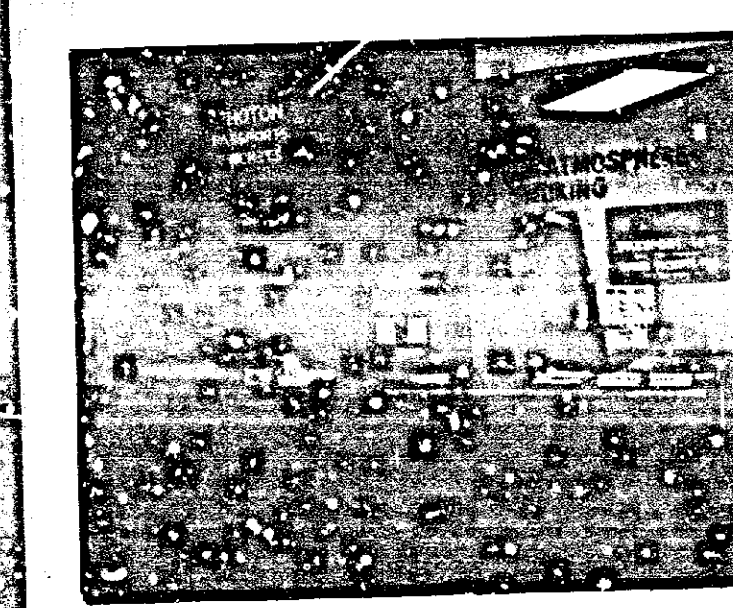
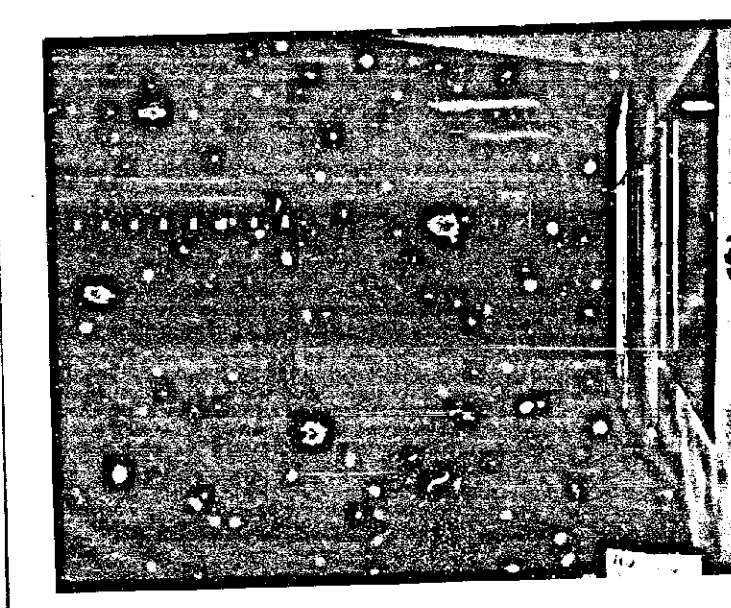
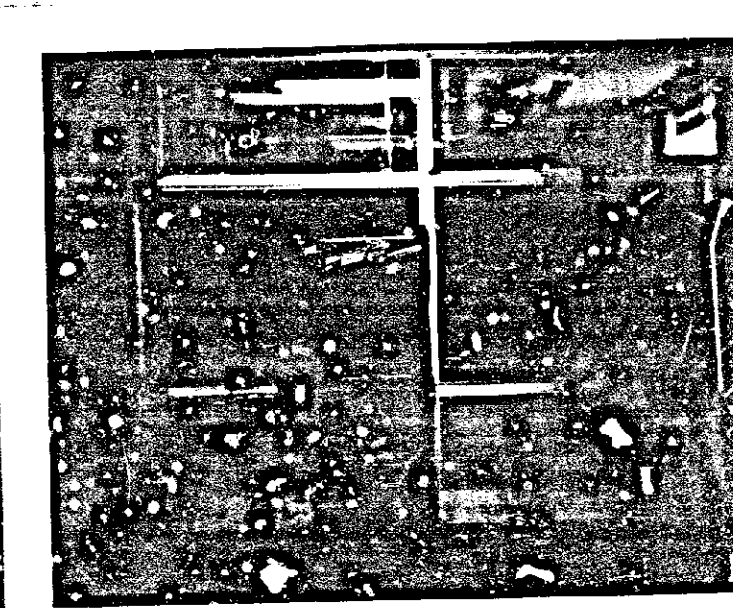
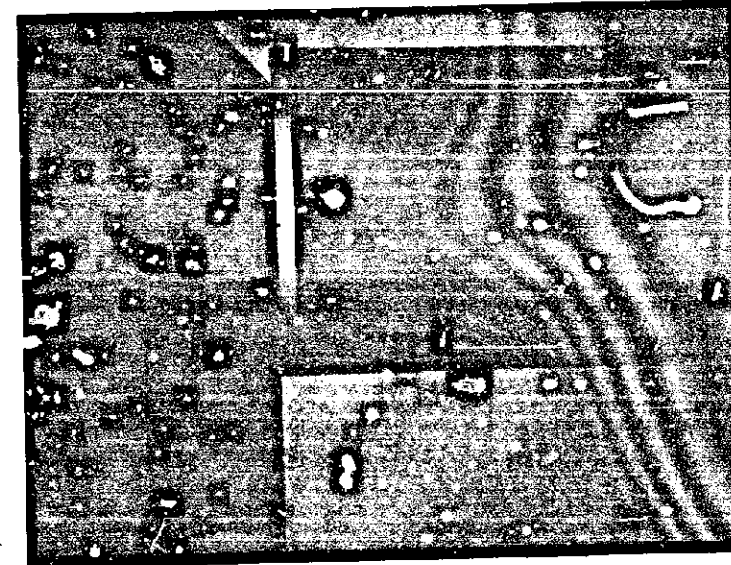
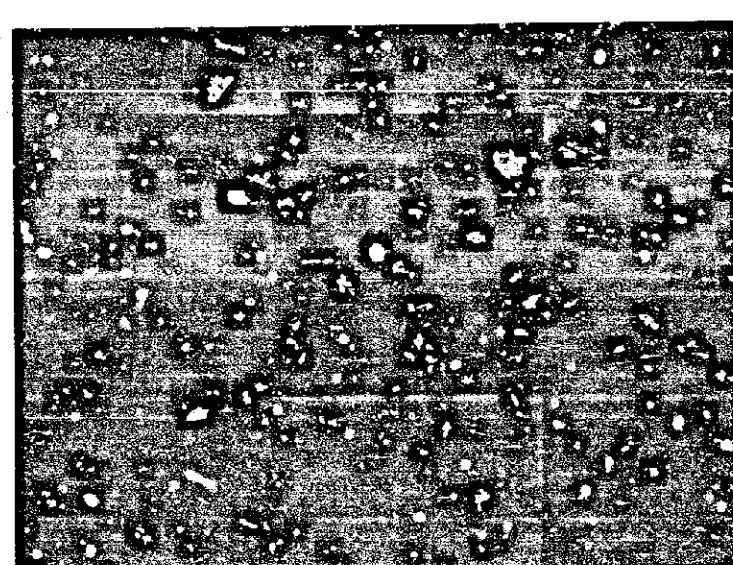
We have spoken with our landlord, Mr. Miller regarding the landscape improvements
at 2401 North Point Blvd and received his permission to proceed. The local police
were also consulted and agree our plans will cause no traffic flow difficulty. We
propose to build two 3' x 3' wooden (decorator tie) planter islands on the parking
lot in front of Photon, to be planted with Evergreen trees (Hollies, hies, Arbutus)
bordered with seasonal flowers.

This selection was decided on after consulting several landscapers who concluded
that this would provide an attractive plant year around, complimented by the seasonal
beauty of the floral border. We request that you grant Photon 18 months to complete
this civic improvement in order to allow time to complete ongoing projects in our
new business, and to synchronize with the spring planting season of 1988. We at Photon
appreciate the opportunity to be able to increase the attractive appearance of our
business and the community.

Thank you for your help and assistance.

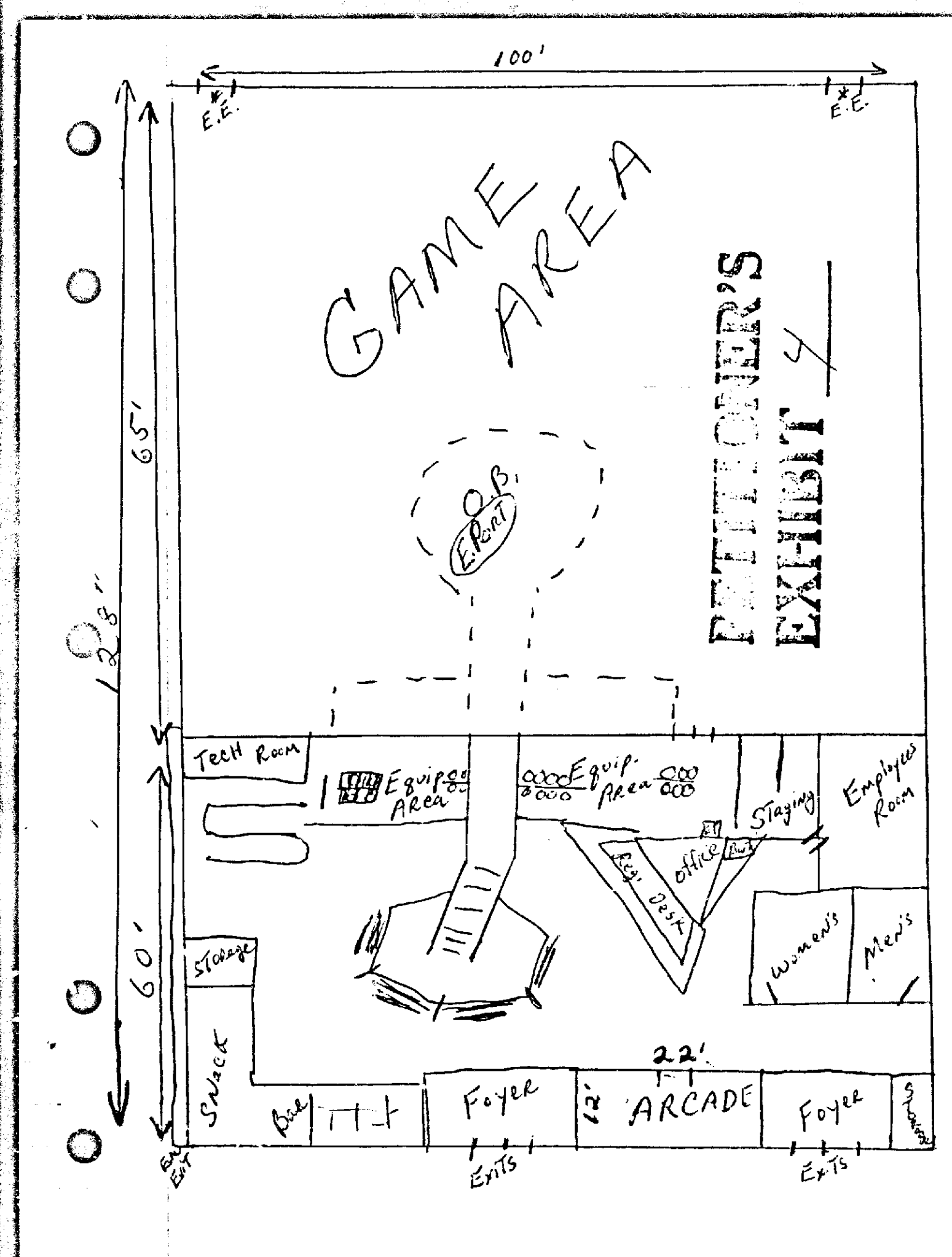
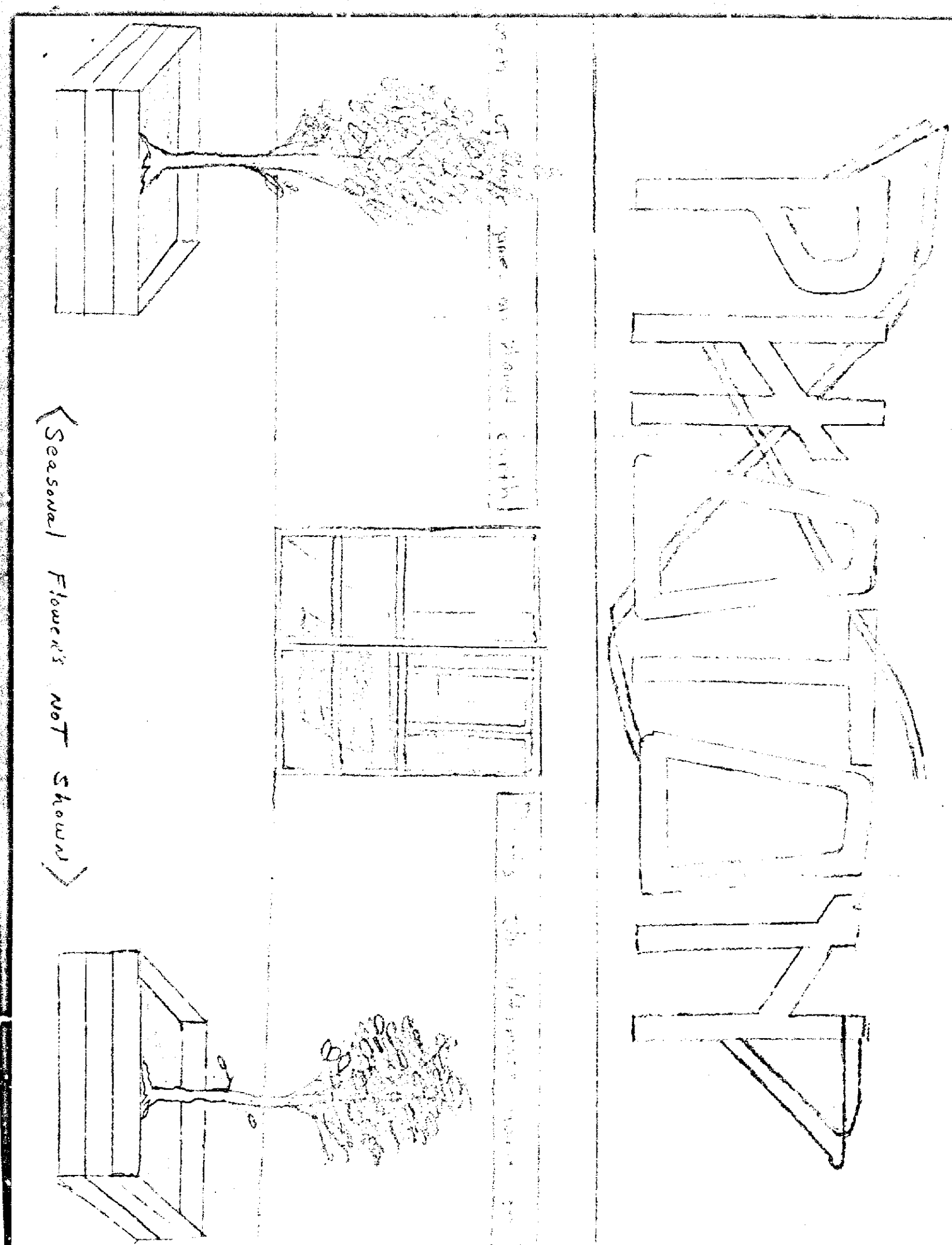
Photon East Limited Partnership
Michael Whittaker, President

P.S. If you have and questions or suggestions, please call me at 284-6200.



Sentinel TITLE CARES
GAME ROOM
22' x 12'

PETITIONER'S
EXHIBIT 5



MILLER REALTY CORPORATION
2401 NORTH POINT BOULEVARD

BALTIMORE, MARYLAND

301-282-9000

June 16, 1986

Mr. Robe * Andrews
Photon
2401 North Point Blvd.
Baltimore, Maryland 21222

Dear Mr. Andrews

I am writing this letter to confirm to the Zoning Board that your operation in the premises at 2401 North Point Blvd. has been satisfactory in all respects. We have received no complaints from neighbors or other tenants or from any public authorities.

We wish you continued success in your business.

Sincerely,

William Miller
William Miller, Vice-president
Miller Realty Corporation

**PETITIONER'S
EXHIBIT 1**



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 2, 1985

Mr. Michael T. Whittaker
3097 Sycamore Court
Joppatowne, Maryland 21085

RE: Proposed "Photon" Center
in Baltimore County, Maryland

Dear Mr. Whittaker:

In accordance with your request of September 24, 1985, I have reviewed the Baltimore County Zoning Regulations and have determined that your proposed use would be considered as a "commercial recreation enterprise..." Said use would be permitted as a matter of right in a Business, Major (B.M.) and a Business, Roadside (B.R.) Zone.

Final approval would be contingent upon obtaining all necessary permits from Baltimore County, Maryland.

If you have any further questions concerning this matter, please do not hesitate to call this office.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:NB:mr

cc: Mr. Nicholas B. Commodari
Chief, Development Control Section
Chron. File

**PETITIONER'S
EXHIBIT 3**

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Michael T. Whittaker
Photon East Limited Partnership
2401 North Point Blvd.
Baltimore, Maryland 21222

RE: Item No. 372 - Case No. 86-516-XSH
Petitioner - Photon East Ltd. Partnership
Special Exception & Special Hearing

Dear Mr. Whittaker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

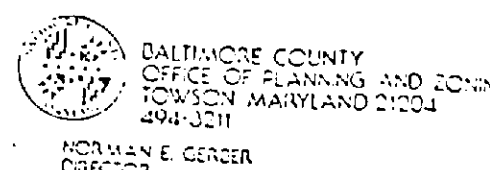
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hsc
Enclosures

cc: Greenfield, Sommer and Associates
1372 Broadway
New York, New York 10018



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

JOHN M. E. GARCIA
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

MAY 21, 1986

RE: Zoning Advisory Meeting of April 27, 1986
Item # 372 PHOTON EAST LIMITED PARTNERSHIP
475' NE OF INTERSECTION OF
OLD NORTH POINT RD. AND WILLOW RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting is required.
- ☒ The County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract. Therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The survey arrangement is not satisfactory.
- ☒ The parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Plan. The property is located in a deficient service area as defined by Bill 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 175-79, and its conditions cannot be alleviated unilaterally by the County Council. The deficient service is [blank].

WOULD MAKE IT MORE CONVENIENT FOR REVIEWING AGENCIES TO OWNERS FOR SUBMIT A CLEARER (LIGHTER) SITE PLAN!

MS 101611

Estimate A. Roper
Chief, Current Planning and Development



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

May 6, 1986

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Baltimore County
Item # 372
Property Owner: Photon
East Limited Partn.
Location: 475 ft. NE. of
Intersection of Old North
Point Rd and (Rte 20)
and Willow Road
Existing Zoning: B.M.
Proposed Zoning: Special
Exception for an Arcade
Special Hearing to
approve that "Photon" is
to be an entertainment,
leisure or recreation
oriented use in accordance
with Section 422 (a)
(18), BCZR
District: 15th

ATT: James Dyer

Dear Mr. Dyer

On review of the submittal of 1/30/86, and field inspection, the State Highway Administration will require the site plan to be revised.

The northbound lane of North Point Blvd. (Route 151) has been eliminated with construction of the Patapsco Freeway along the frontage of this site.

Previous comments on this site recommended the monumental entrance be reconstructed as a directional Right Turn In and Right Turn Out entrance. (See attachments).

This reconstruction will provide a access that meets existing criteria for safe access to the site.

It is requested the site plan be revised prior to a hearing date being set.

Very truly yours,

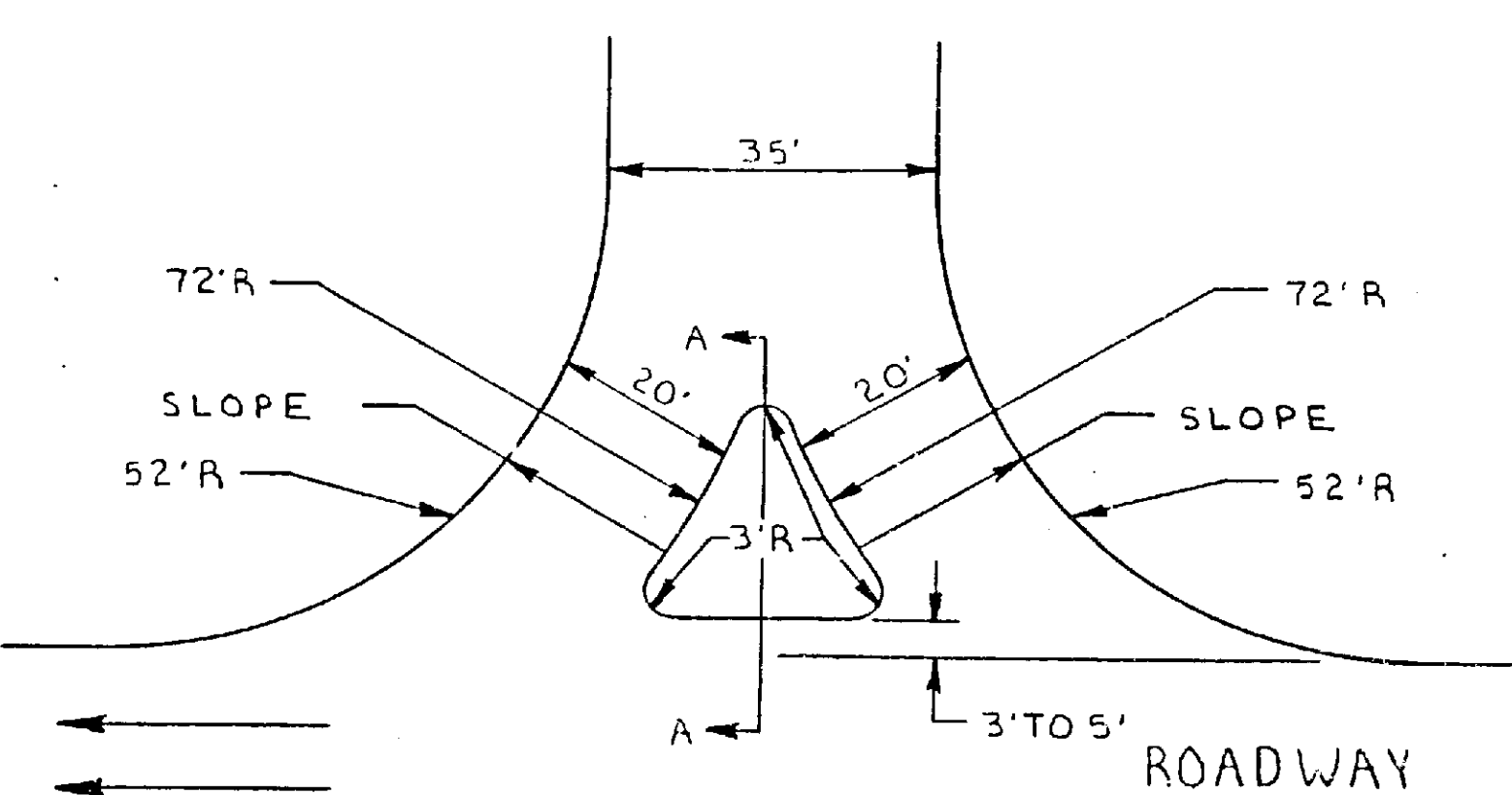
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman
301-459-1350

CL-GW:es

cc: J. Ogle
attachment

My telephone number is
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

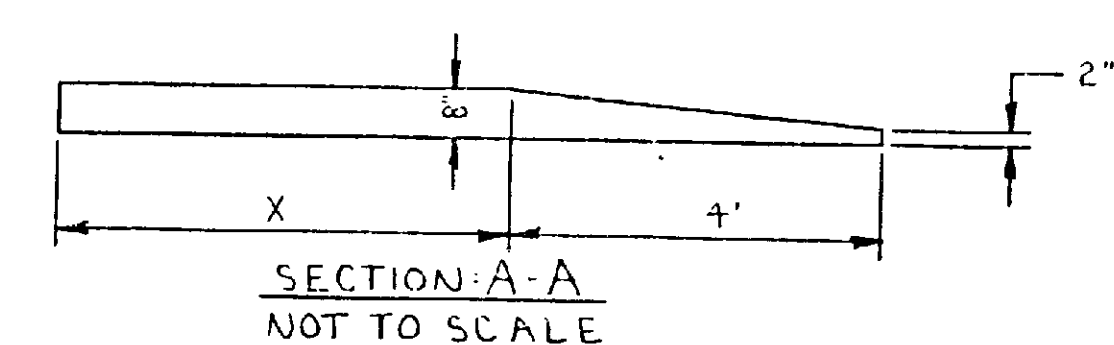
**CHANNELIZATION OF COMMERCIAL ENTRANCES
A TYPICAL DIRECTIONAL ENTRANCE DUAL H.W.Y.**



MEDIAN RAISED OR FLUSH

ROADWAY

SCALE: 1" = 20'



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Photon East Limited Partnership

Location: 475 ft. NE of intersection of Old North Point Rd. & Willow Rd.
Item No.: 372 Zoning Agenda: Meeting of April 29, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no [blank] at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

May 19, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 372 Zoning Advisory Committee Meeting are as follows:
Property Owner: Photon East Limited Partnership
Location: 475 feet NE of intersection of Old North Point Road and Willow Road
District: 15th.

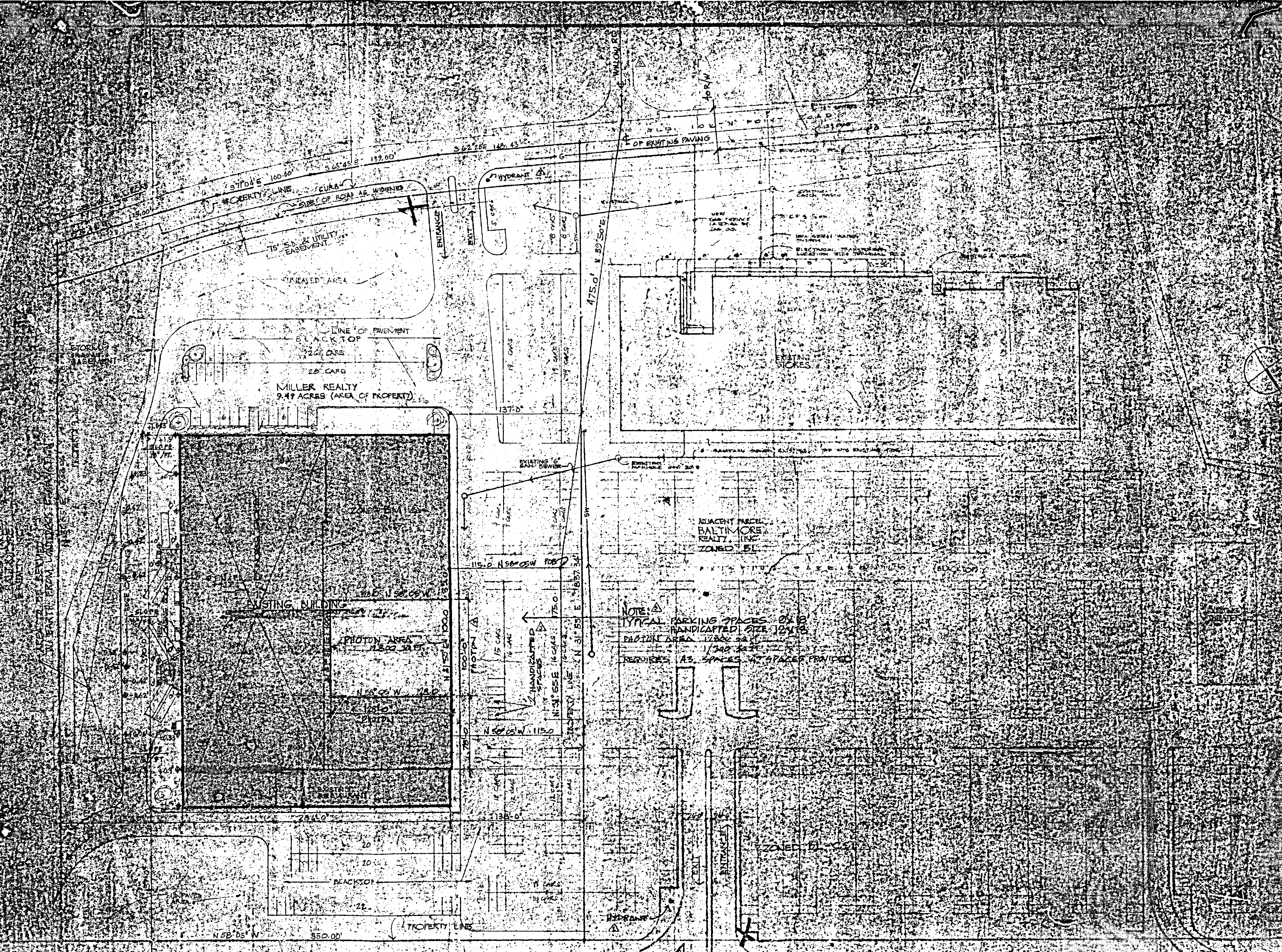
APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 491-85, the Maryland Code for the Handicapped and Aged (A.H.A.G.) #117-1 - 1980, and other applicable Code and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: The area of construction drawings are required to file a permit application. The seal of a registered in Maryland architect or engineer is/is not required on plans and technical data.
- ☒ Commercial: These area of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All the Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All the Group require a one hour fire rating for exterior walls closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section (a) [blank] of the Baltimore County Building Code.
- ☒ The proposed use would be an (A-3) assembly use. If this space has been used for another use a change of occupancy may be required.
- ☒ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.5 of the Building Code as adopted by Bill 491-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☒ Comments: Exits shall comply to the current building code. It is assumed the space is completely sprinklered.

4/22/86

John F. O'Neill
John F. O'Neill
Building Plans Review

JUN 19 1987



PETITIONER'S
EXHIBIT 2

SITE PLAN
NOTE SEE C-270.81 FOR
OVERALL SITE PLAN

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use herein described property for An Arcade.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Atorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Atorney's Telephone No.:
Address

Legal Owner(s):
PHOTON East Limited Partnership
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Michael T. Whittaker
Name
2401 North Point Blvd. 284-6200
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of June, 1986, at 2:00 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 10, 1986

Mr. Michael T. Whittaker, President
Photon East Limited Partnership
2401 North Point Boulevard
Baltimore, Maryland 21222

RE: Petition Special Hearing and
Special Exception - Beginning
at 475' NE of the Intersec-
tion of Old North Point Road
and Willow Road
15th Election District
Case No. 86-516-XSPH

Dear Mr. Whittaker:

I have this date passed my Order in the above referenced Petition for Special Hearing and Special Exception in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: People's Counsel

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve "Photon" to be an entertainment, leisure or recreation oriented use in accordance with Section 422 (a) (18), BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Atorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Atorney's Telephone No.:
Address

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Michael T. Whittaker
Name
2401 North Point Blvd. 284-6200
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of June, 1986, at 2:00 o'clock.

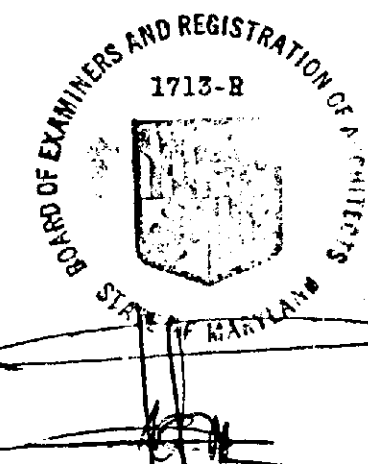
Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

METES AND BOUNDS FOR PHOTON PARKING & BUILDING AREAS

Beginning at the intersection of centerline of Willow Road and centerline of 12" water main running at Southerly side of Old North Point Road a distance of 475.0 feet running North 39 degrees 50 minutes East to the Southwest corner of designated parking area called point of beginning. Then running North 71 degrees 55 minutes East 175 feet then South 58 degrees 05 minutes East 115 feet then South 31 degrees 55 minutes West 40 feet to the Southeast corner of designated building area.

Then South 58 degrees 05 minutes East 128 feet,
Then South 31 degrees 55 minutes West 100 feet,
Then North 31 degrees 55 minutes West 128 feet,
Then North 31 degrees 55 minutes East 100 feet
close out building area then
South 31 degrees 55 minutes West 135 feet,
Then North 31 degrees 05 minutes West 115 feet to
the Point of Beginning of Parking Area.



IN RE: PETITION SPECIAL HEARING AND SPECIAL EXCEPTION Beginning at 475' NE of the Intersection of Old North Point Road and Willow Road (2401 North Point Blvd.) 15th Election District

Photon East Ltd. Partnership

Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-516-XSPH

The Petitioner herein requests a Special Hearing to determine that "Photon" is an entertainment, leisure or recreation oriented use and, in addition, a Special Exception for an arcade within the Photon portion of the building.

Testimony by the principals of the partnership, several Baltimore County firemen, indicates that they have obtained a franchise for Photon, a new type of commercial recreation enterprise described as "like playing inside a video game." A team is comprised of from one to ten members who suit up, plan strategy, play a "star wars" combat game with infinite situations, drop off their equipment, and review and analyze the game. Players have ranged from 8 to 86 years of age. Members have photo identifications which can be used in any Photon establishment.

The franchise owners have utilized a portion of an older shopping center, as shown in the attached plan prepared by Greenfield, Sommer & Associates, revised April 11, 1986, and identified as Petitioner's Exhibit 2, have gone beyond the BOCA code as to sprinklers, heat and smoke detectors and number of exits, have improved the entire front of the building and have repaved the parking area. Rules of behavior are strict as the operators attempt to provide a Disney-type environment. A 12' x 22' room, as shown in the attached Petitioner's Exhibit 4, will be utilized for traditional amusement games. There were no Protestants.

DATE 7/10/86 BY [Signature]

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
Beginning at 475' NE of :
Intersection of Old North :
Point Rd. & Willow Rd. :
(2401 North Point Blvd.) :
15th District :
PHOTON EAST LIMITED : Case No. 86-516-XSPH
PARTNERSHIP, Petitioner : : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

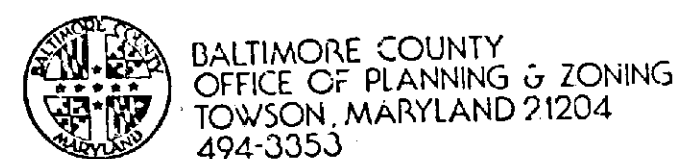
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of May, 1986, a copy of the foregoing Entry of Appearance was mailed to Michael T. Whittaker, President, Photon East Limited Partnership, 2401 North Point Blvd., Baltimore, MD 21222, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



ARNOLD JABLON
ZONING COMMISSIONER

June 10, 1986

Mr. Michael T. Whittaker
2401 North Point Boulevard
Baltimore, Maryland 21222

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR SPECIAL EXCEPTION AND PETITION
FOR SPECIAL HEARING
Beg. @ 475' NE of Intersection of Old North Point Rd. and
Willow Rd. (2401 North Point Blvd.)
15th Election District
Photon East Limited Partnership - Petitioner
Case No. 86-516-XSPH

Dear Mr. Whittaker:

This is to advise you that \$119.90 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

County, Maryland, and remit
to: Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

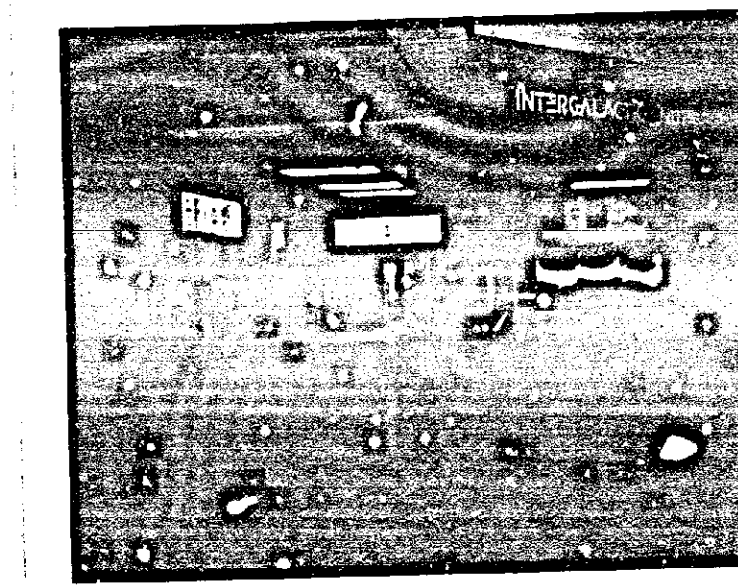
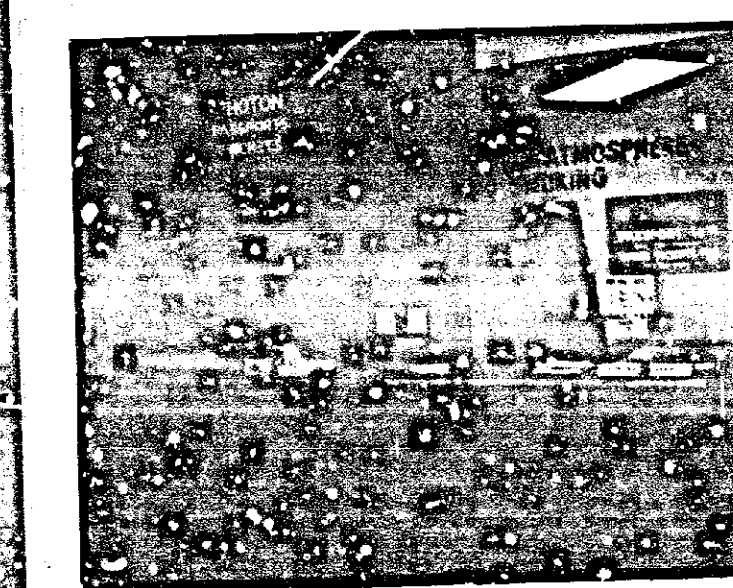
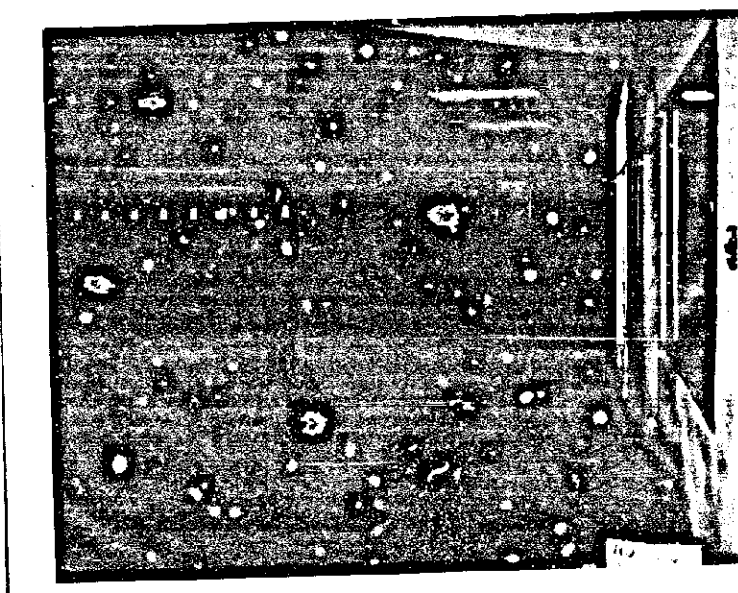
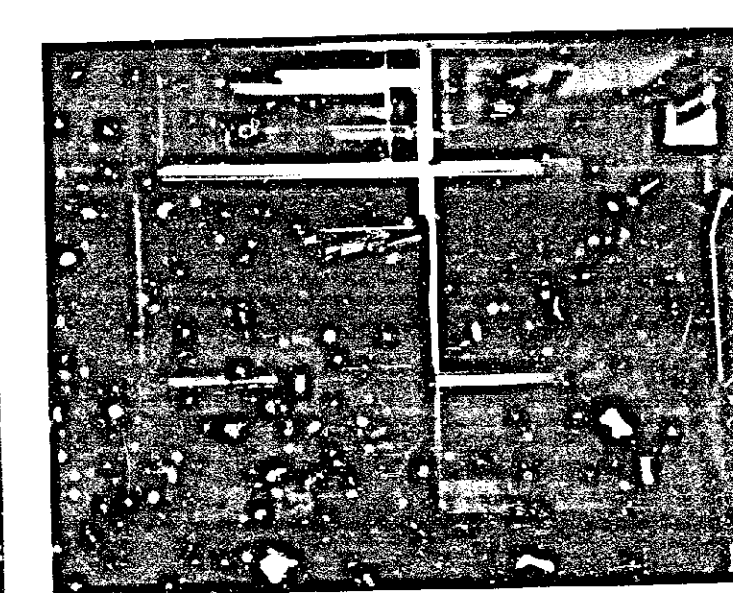
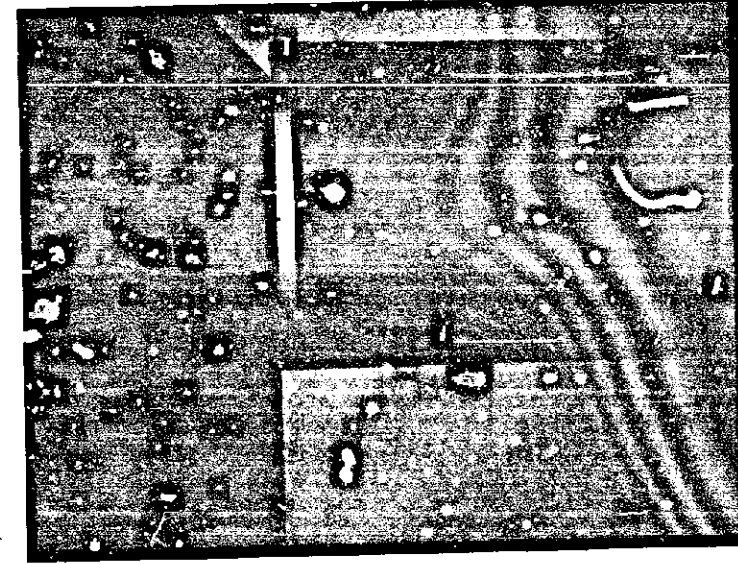
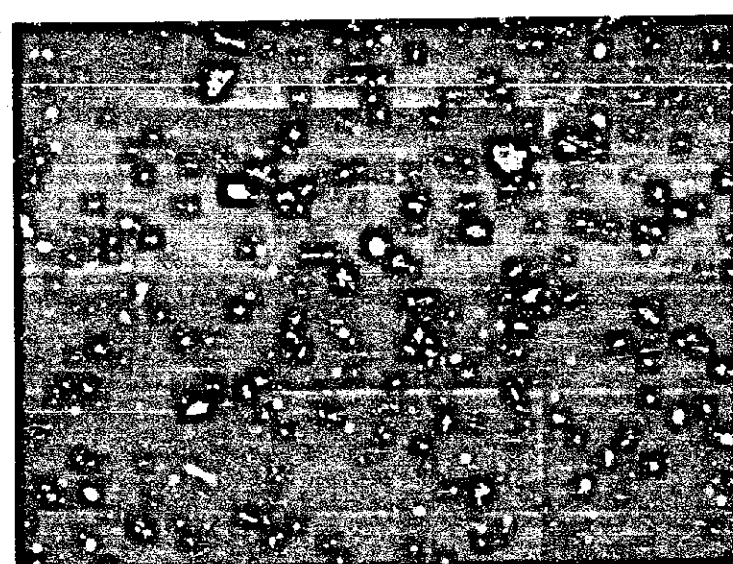
No. 021746

DATE: 6/17/86 ACCOUNT: 01-615-000

SIGNS & POSTS
RETURNED AMOUNT: \$119.90
Photon East Limited Partnership, 2401 North
Point Blvd., Balto., Md. 21202

RECEIVED FROM: Advertising & Posting re Case #86-516-XSPH

VALIDATION OR SIGNATURE OF CASHIER



Sentinel TITLE CARES
GAME ROOM
22' x 12'

PETITIONER'S
EXHIBIT 5

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 29, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
May 29, 1986.

THE JEFFERSONIAN,

18 Kenton
Publisher
Cost of Advertising
27.50

PETITION FOR SPECIAL EXCEPTION
AND SPECIAL HEARING
Case No. 86-516-XSPH

LOCATION: Beginning at 475 feet
North of Intersection of Old
North Point Road and Willow Road
(2401 North Point Blvd.)
DATE AND TIME: Tuesday, June
17, 1986, at 2:00 p.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Special Exception for an
arcade.

Petition for Special Hearing to approve
"Photon" to be an entertainment,
leisure or recreation oriented use.

Being the property of Photon East
Limited Partnership, as shown on plat
filed with the Zoning Office in the
event that this Petitioner(s) is
granted, a building permit may be
issued within the thirty (30) day period
after the hearing. The Zoning Commissioner
will, however, entertain any request for a
stay of the issuance of said permit
covering this period for good cause
shown. Such request must be received
in writing by the date of the hearing and
shown or made at the hearing.

By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
May 29

PETITION FOR SPECIAL EXCEPTION
AND SPECIAL HEARING
Case No. 86-516-XSPH

LOCATION: Beginning at 475 feet
North of Intersection of Old North
Point Road and Willow Road (2401
North Point Boulevard)

DATE AND TIME: Tuesday, June 17,
1986, at 2:00 p.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Special Exception for an
arcade.

Petition for Special Hearing to approve
"Photon" to be an entertainment,
leisure or recreation oriented use.

Being the property of Photon East
Limited Partnership, as shown on plat
filed with the Zoning Office in the
event that this Petitioner(s) is
granted, a building permit may be
issued within the thirty (30) day period
after the hearing. The Zoning Commissioner
will, however, entertain any request for a
stay of the issuance of said permit
covering this period for good cause
shown. Such request must be received
in writing by the date of the hearing and
shown or made at the hearing.

By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 May 29, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of Zoning Hrgs. - P.O.
#76981 - Reg. #L89475 - 81 lines @ \$32.40.

was inserted in The Dundalk Eagle a weekly newspaper
published in Baltimore County, Maryland, once a week
for one consecutive week, before the
30th day of May 1986; that is to say,
the same was inserted in the issues of May 29, 1986

Kimbel Publication, Inc.
per Publisher.

By K.C. Oller

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 86-516-XSPH

District: 15th Date of Posting: 4/22/86

Posted for: Special Exception, Special Hearing

Petitioner: Photon East Limited Partnership

Location of property: Beg. @ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

2401 North Point Blvd.

Location of Sign: @ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

@ 475' NE of Intersection of Old North Point Rd. and Willow Rd. (2401 North Point Blvd.)

Remarks:

Posted by: Whittaker Signature Date of return: 5/2/86

Number of Signs: 4

86-516-XSPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
15th day of May, 1986.

Petitioner: Photon East Ltd. Partnership
Petitioner's Attorney: Arnold Jablon

Received by: James E. Dyer

Chairman, Zoning Plans
Advisory Committee

Mr. Michael T. Whittaker
2401 North Point Boulevard
Baltimore, Maryland 21222

May 16, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING
Beg. @ 475' NE of Intersection of Old North Point
Rd. and Willow Rd. (2401 North Point Blvd.)
15th Election District
Photon East Limited Partnership - Petitioner
Case No. 86-516-XSPH

TIME: 2:00 p.m.

DATE: Tuesday, June 17, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 019301

DATE: 4/12/86 ACCOUNT: 01-615

AMOUNT: \$ 200.00

RECEIVED FROM: Michael T. Whittaker

FOR: Funds Fee - Special Exception - Special Hearing

Item 372 8121*****200000 01.00

Photon East Ltd Partnership

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 28, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-516-XSPH

In view of the subject of this petition, no comments are offered.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

June 24, 1986

To: Mrs. Jung
County Zoning Office

From: Photon East Limited Partnership
2401 North Point Blvd.
Baltimore, Maryland 21222

Mrs. Jung:

We have spoken with our landlord, Mr. Miller regarding the landscape improvements
at 2401 North Point Blvd and received his permission to proceed. The local police
were also consulted and agree our plans will cause no traffic flow difficulty. We
propose to build two 3' x 3' wooden (decorative tie) planter islands on the parking
lot in front of Photon, to be planted with Evergreen trees (Hollies, hives, Arbutus)
bordered with seasonal flowers.

This selection was decided on after consulting several landscapers who concluded
that this would provide an attractive plant year around, complimented by the seasonal
beauty of the floral border. We request that you grant Photon 18 months to complete
this civic improvement in order to allow time to complete ongoing projects in our
new business, and to synchronize with the spring planting season of 1988. We at Photon
appreciate the opportunity to be able to increase the attractive appearance of our
business and the community.

Thank you for your help and assistance.

Photon East Limited Partnership
Michael Whittaker, President

P.S. If you have and questions or suggestions, please call me at 284-6200.

JUN 19 1987

MILLER REALTY CORPORATION
2401 NORTH POINT BOULEVARD

BALTIMORE, MARYLAND

301-282-9000

June 16, 1986

Mr. Robe * Andrews
Photon
2401 North Point Blvd.
Baltimore, Maryland 21222

Dear Mr. Andrews

I am writing this letter to confirm to the Zoning Board that your operation in the premises at 2401 North Point Blvd. has been satisfactory in all respects. We have received no complaints from neighbors or other tenants or from any public authorities.

We wish you continued success in your business.

Sincerely,

William Miller
William Miller, Vice-president
Miller Realty Corporation

**PETITIONER'S
EXHIBIT 1**



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 2, 1985

Mr. Michael T. Whittaker
3097 Sycamore Court
Joppatowne, Maryland 21085

RE: Proposed "Photon" Center
in Baltimore County, Maryland

Dear Mr. Whittaker:

In accordance with your request of September 24, 1985, I have reviewed the Baltimore County Zoning Regulations and have determined that your proposed use would be considered as a "commercial recreation enterprise..." Said use would be permitted as a matter of right in a Business, Major (B.M.) and a Business, Roadside (B.R.) Zone.

Final approval would be contingent upon obtaining all necessary permits from Baltimore County, Maryland.

If you have any further questions concerning this matter, please do not hesitate to call this office.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:NBG:m

cc: Mr. Nicholas B. Commodari
Chief, Development Control Section

Chron. File

**PETITIONER'S
EXHIBIT 3**

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Michael T. Whittaker
Photon East Limited Partnership
2401 North Point Blvd.
Baltimore, Maryland 21222

RE: Item No. 372 - Case No. 86-516-XSH
Petitioner - Photon East Ltd. Partnership
Special Exception & Special Hearing

Dear Mr. Whittaker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

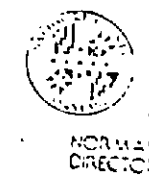
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hsc
Enclosures

cc: Greenfield, Sommer and Associates
1372 Broadway
New York, New York 10018



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

MAY 21, 1986

Re: Zoning Advisory Meeting of April 27, 1986
Item # 372
Property Owner: Photon East Limited Partnership
Location: 475' NE of Intersection of Old North Point Rd. and Willow Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ The County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract. Therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The survey arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Plan. The property is located in a deficient service area as defined by Bill 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 175-79, and its conditions cannot be alleviated unilaterally by the County Council. The deficient service is [blank].

WOULD MAKE IT MORE CONVENIENT FOR REVIEWING AGENCIES TO OWNERS FOR SUBMIT A CLEARER (LIGHTER) SITE PLAN!

MS 101611

Ernest A. Roper
Chief, Current Planning and Development



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

May 6, 1986

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Item # 372
Property Owner: Photon
East Limited Partn.
Location: 475 ft. NE. of
Intersection of Old North
Point Rd and (Rte 20)
and Willow Road
Existing Zoning: B.M.
Proposed Zoning: Special
Exception for an Arcade
Special Hearing to
approve that "Photon" is
to be an entertainment,
leisure or recreation
oriented use in accordance
with Section 422 (a)
(18), BCZR
District: 15th

ATT: James Dyer

Dear Mr. Dyer

On review of the submittal of 1/30/86, and field inspection, the State Highway Administration will require the site plan to be revised.

The northbound lane of North Point Blvd. (Route 151) has been eliminated with construction of the Patapsco Freeway along the frontage of this site.

Previous comments on this site recommended the monumental entrance be reconstructed as a directional Right Turn In and Right Turn Out entrance. (See attachments).

This reconstruction will provide a access that meets existing criteria for safe access to the site.

It is requested the site plan be revised prior to a hearing date being set.

Very truly yours,

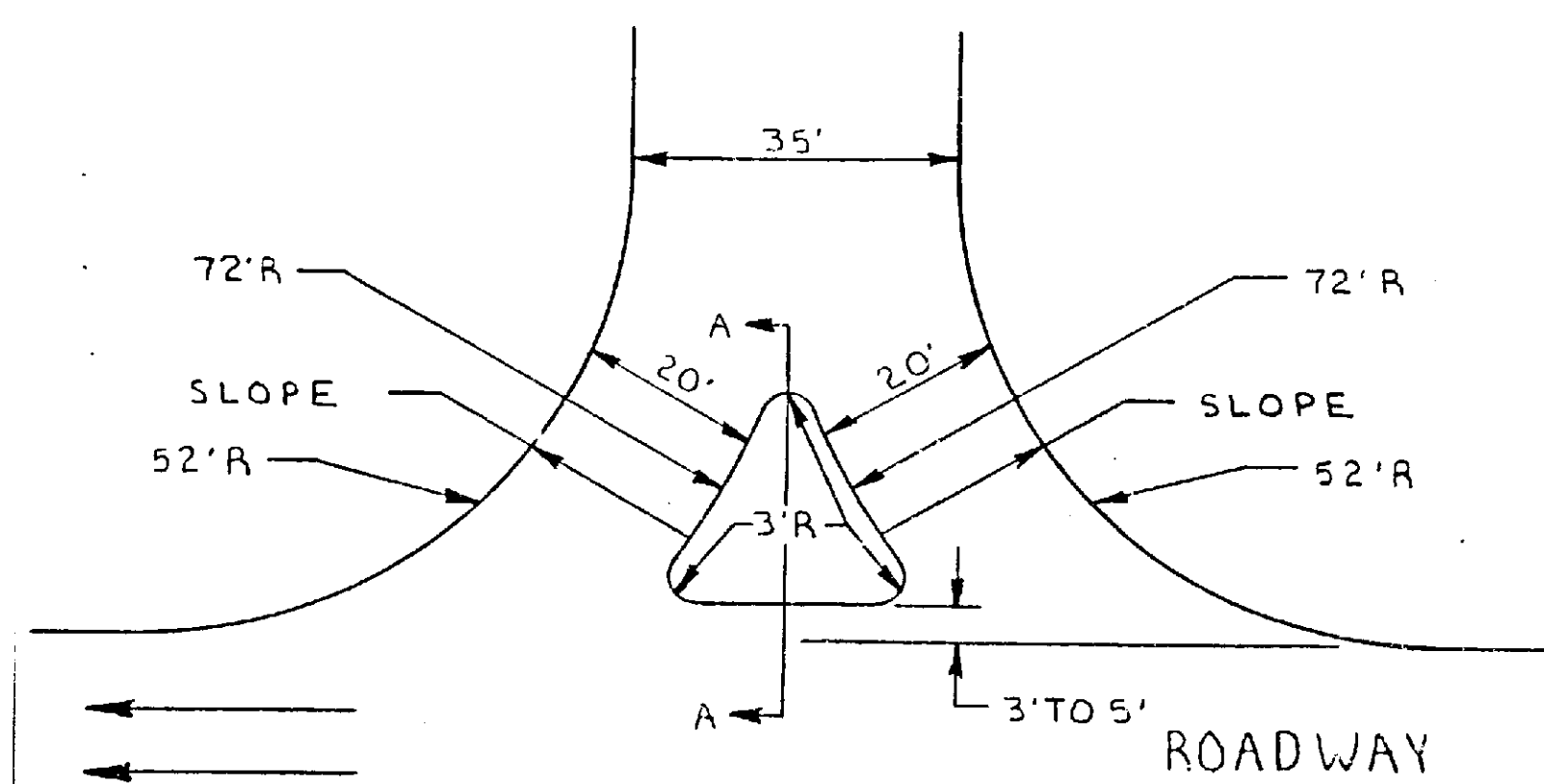
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman
301-459-1350

CL-GW:es

cc: J. Ogle
attachment

My telephone number is
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

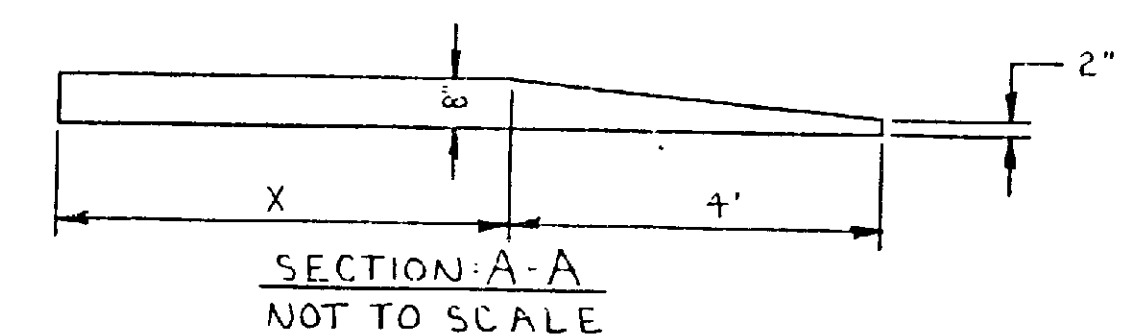
**CHANNELIZATION OF COMMERCIAL ENTRANCES
A TYPICAL DIRECTIONAL ENTRANCE DUAL H.W.Y.**



MEDIAN RAISED OR FLUSH

ROADWAY

SCALE: 1" = 20'



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Photon East Limited Partnership

Location: 475 ft. NE of intersection of Old North Point Rd. & Willow Rd.
Item No.: 372 Zoning Agenda: Meeting of April 29, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- ☒ 2. A second means of vehicle access is required for the site.

- ☒ 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- ☒ 6. Site plans are approved, as drawn.

- ☒ 7. The Fire Prevention Bureau has no [blank] at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

May 19, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 372 Zoning Advisory Committee Meeting are as follows:

Property Owner: Photon East Limited Partnership
Location: 475 feet NE of Intersection of Old North Point Road and Willow Road
District: 15th.

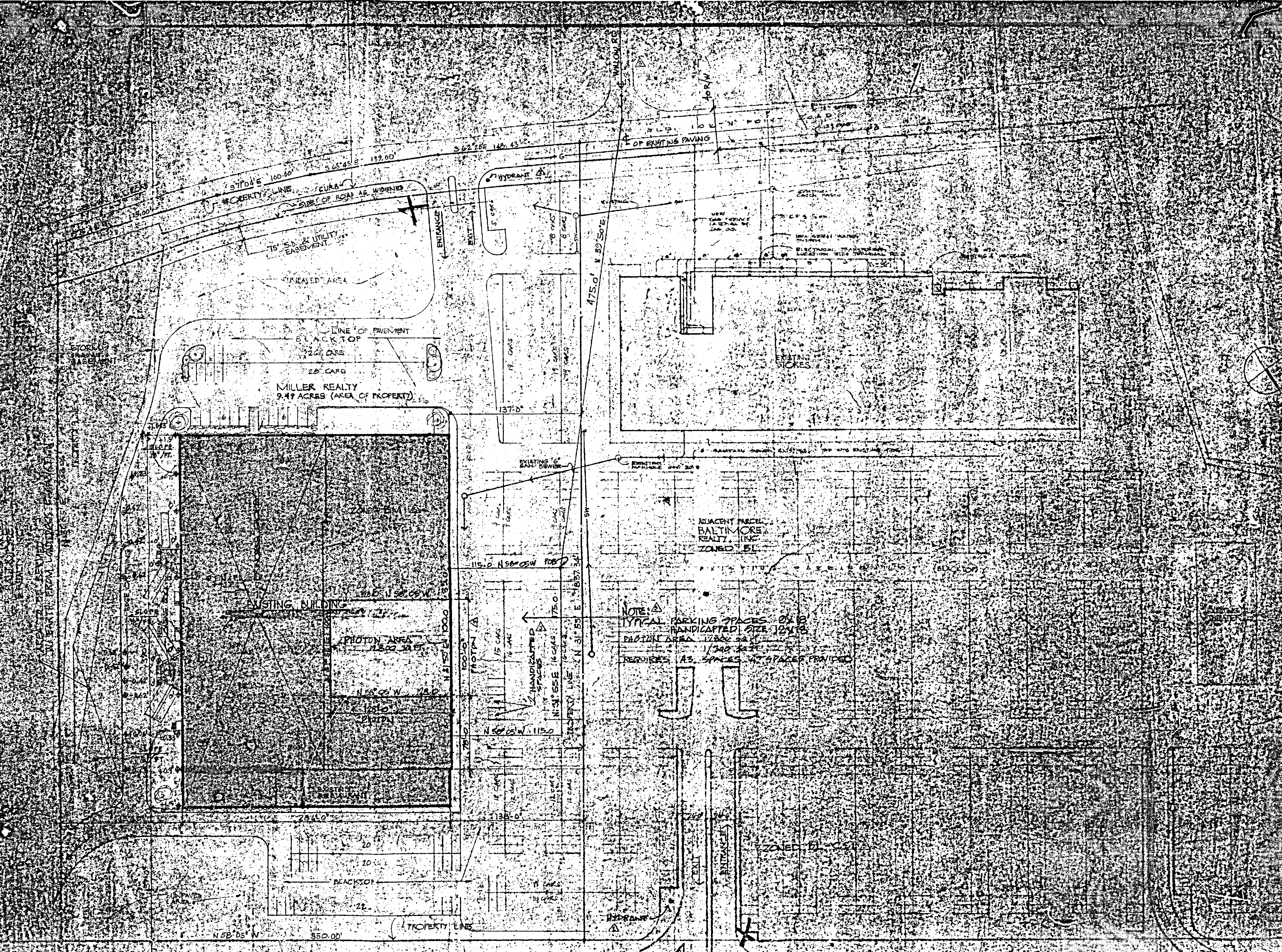
APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 497-85, the Maryland Code for the Handicapped and Aged (A.M.C.A. #117-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: The area of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: These area of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All the Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All the Groups require a one hour fire rating for exterior walls closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section (a) [blank] of the Baltimore County Building Code.
- ☒ The proposed use would be an (A-3) assembly use. If this space has been used for another use a change of occupancy may be required.
- ☒ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.5 of the Building Code as adopted by Bill 497-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☒ Comments: Exits shall comply to the current building code. It is assumed the space is completely sprinklered.

4/22/86

John F. O'Neill
John F. O'Neill
Building Plans Review

JUN 19 1987



PETITIONER'S
EXHIBIT 2

SITE PLAN
NOTE: SEE C-270.81 FOR
OVERALL SITE PLAN